

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 7205

BILL NUMBER: HB 1114

NOTE PREPARED: Jan 1, 2005

BILL AMENDED:

SUBJECT: Spotlighting Wild Animals.

FIRST AUTHOR: Rep. Cherry

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill provides that a person who, between October 1 and January 15, shines a spotlight, searchlight, or other artificial light upon a wild animal for the purpose of locating a wild animal commits a Class C infraction. It establishes certain exceptions. The bill also requires a court to revoke for two years the hunting, fishing, and trapping licenses of a person who commits a second infraction of shining a light on a wild bird or wild animal. The bill provides that a law enforcement officer who witnesses a person in a vehicle shining a light upon a wild bird or wild animal in a prohibited manner may search the vehicle for a firearm, bow, or crossbow. The bill allows a court to revoke certain fish and wildlife licenses for two years for a violation of a wildlife protection law.

Effective Date: July 1, 2005.

Explanation of State Expenditures:

Explanation of State Revenues: There are no data available to indicate how many people may be convicted of a Class C infraction for shining an artificial light for the purpose of locating a wild animal. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C infraction is \$500, which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed, 70% of which would be deposited in the state General Fund if the case is filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund. (2) A \$3 fee would be assessed and, if collected, would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed and, if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources:

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